

PROPOSED ORDINANCE
NO. 00302

RETURN IN WINDOW ENVELOPE
VOL 02 FRME. 984

1 AN ORDINANCE indicating the willingness of King County
2 to cooperate with the U. S. Department of Housing and
3 Urban Development in conducting Operation Breakthrough
4 and providing for certain services, aids and variances
5 to accomplish this cooperation; and amending Ordinance
6 No. 264; and declaring an emergency.

7 Section 1. Hereafter in this Ordinance, HUD means the United
8 States Department of Housing and Urban Development, and Break-
9 through means Operation Breakthrough being conducted by that De-
10 partment.

11 Section 2. HUD is conducting BREAKTHROUGH to utilize modern
12 techniques of production, marketing and management in order to
13 provide quality homes, in volume, for all income levels through
14 cooperative efforts by private enterprise, labor and consumers,
15 and by local, State and Federal governments.

16 As a major phase of BREAKTHROUGH, HUD will evaluate and
17 approve proposals submitted by private industry for housing systems
18 and construction concepts involving the application of new tech-
19 nology, financing methods, and management techniques, designed to
20 supply aggregated markets with quality housing produced in volume
21 and with economies achieved through larger scale production, more
22 efficient management and improvement in systems of production,
23 construction, land use, and financing.

24 As a further essential phase of BREAKTHROUGH, HUD will select
25 certain regional prototype sites throughout the country on which
26 HUD-approved housing systems will be constructed for the purpose
27 of testing, evaluating and demonstrating all aspects, including
28 site layouts and development, costs, financing methods, and market
29 acceptability, as well as the physical quality of the housing and
30 the construction process.

31 Section 3. HUD is expressly authorized by law to undertake
32 housing research and studies cooperatively with industry and labor
33 and public and private organizations, including the development
34 and demonstration of the construction and operation of such hous-
35 ing and the promotion of acceptance of new and improved techniques.

PROPOSED ORDINANCE
NO. 00302

1 In connection with such undertakings and all HUD functions, HUD is
2 also expressly authorized by law, with the consent of the agency
3 concerned, to utilize, contract with and act through any Federal,
4 State or local public agency or instrumentality, educational in-
5 stitution or nonprofit agency or organization and is authorized to
6 accept and utilize equipment, facilities or services of the em-
7 ployees of such agencies, instrumentalities or organizations.

8 Section 4. It is anticipated that some of the occupants of
9 BREAKTHROUGH will be families or persons who cannot afford to live
10 in decent, safe and sanitary housing without the financial
11 assistance, and King County is expressly authorized to cooperate
12 in connection with housing for such persons and families, includ-
13 ing cooperation by way of planning and replanning, zoning and re-
14 zoning, and making of exceptions from building regulations and
15 ordinances and also has general authority to make exceptions from
16 local requirements relating to land use and construction and
17 occupancy of buildings and general authority to enter into agree-
18 ments with the Federal Government. King County desires to be
19 selected by HUD as the location for one of the regional pro-
20 totype sites, because participation by King County in BREAKTHROUGH
21 will provide it with assistance in solving its problems by afford-
22 ing opportunities to increase the supply of housing for all of its
23 people, including low and moderate income families, to relieve
24 urban congestion and resulting urban tensions, to increase its
25 housing inventory subject to property taxes, to attract new in-
26 dustry and supporting businesses, to provide new employment oppor-
27 tunities, to use and implement the results of city planning pro-
28 grams, and to share in a working partnership with the Federal and
29 State governments and the private sector.

30 Section 5. King County will further benefit from its
31 participation in BREAKTHROUGH in that HUD will, if requested,
32 provide FHA and public housing financing for BREAKTHROUGH units

PROPOSED ORDINANCE
NO. 00302

1 and provide other appropriate assistance under other HUD programs.
2 It is anticipated that the prototype housing to be constructed
3 will involve some variances from local requirements relating to
4 land use, and construction and occupancy of buildings; that HUD
5 will approve any such variances; that HUD will arrange with
6 nationally recognized and professionally acceptable scientific and
7 engineering organizations for an examination and validation of
8 test results and test procedures before or after construction; and
9 that HUD will certify as to the acceptability of the housing for
10 occupancy and permanent use on the basis of sound performance
11 standards.

12 Section 6. King County desires that prototype housing in
13 the BREAKTHROUGH program be constructed on the prototype site
14 described as follows and recognizes that such construction cannot
15 take place without such approved variances from such local
16 requirements:

17 LEGAL DESCRIPTION:

18 A portion of the East one-half of the Southwest one-
19 quarter of Section 16, Township 26 North, Range 5,
20 E.W.M., lying south of the City of Seattle Tolt River
Pipeline right-of-way in King County, Washington.

21 The above described property is presently classified
22 as "SR" by King County zoning.

23 Section 7. For the purpose of enabling and inducing HUD,
24 private and public organizations, manufacturers, builders, in-
25 vestors, and others who may be involved, to make commitments and
26 expenditures of funds and property in connection with said
27 BREAKTHROUGH housing on a BREAKTHROUGH prototype site, described
28 in Section 6,
29 King County will:

- 30 1. Furnish or cause to be furnished to BREAKTHROUGH and its
31 occupants public services and facilities of the same
32 character and to the same extent as are furnished from

PROPOSED ORDINANCE
NO. 00302

time to time, without cost to other dwellings and inhabitants in the County.

2. Grant such variances from the building, housing and other codes and regulations and make such changes in zoning of the site and surrounding area as may be necessary to permit construction, alteration, occupancy, and disposal for intended use, of BREAKTHROUGH or any part thereof all in accordance with the plans, purposes, and objectives as prescribed or approved by HUD, and in accordance with standards adopted by HUD and the U. S. Bureau of Standards.
3. Assist and cooperate in the planning, undertaking, construction operation, and disposal of BREAKTHROUGH by taking all other actions and providing all other services and facilities authorized by the housing cooperation law and other applicable laws, as determined by HUD to be necessary.
4. Enter into appropriate agreements with HUD and others engaged in any phase of BREAKTHROUGH (and, to the extent it may lawfully do so, cause or assist others to enter into such agreements) to assist and cooperate as set forth in "1" through "3" above, which agreements shall contain, among others, provisions to the following effect:
 - (a) That in the event HUD should declare any of the parties involved in BREAKTHROUGH to be in default, HUD shall have the right (i) to succeed to the benefits agreed to be provided under the agreement, (ii) to utilize the equipment, facilities, and services of employees of King County to carry out the obligations thereunder, and (iii) to incur such costs and expenses as may be necessary to secure

PROPOSED ORDINANCE
NO. 00302

such benefits under the agreement and deduct the amount thereof from any amounts otherwise payable by the Federal Government to King County.

(b) That in the event HUD finds it necessary to take possession of title to BREAKTHROUGH or any part thereof, King County will give full recognition to any transfer of possession or title and will co-operate thereafter with HUD in the execution, operation, and disposal of BREAKTHROUGH.

(c) That the agreement shall not be abrogated or modified without the consent of the Federal Government or its successors in interest so long as any contract for loans, Mortgage insurance, or other financial assistance or any property interest by the Federal Government, with respect to BREAKTHROUGH or any part thereof, remains in force and effect.

Section 8. Ordinance No. 264 is hereby amended.

Section 9. The Council finds as a fact that an emergency exists and that the Ordinance is necessary for the immediate preservation of public peace, health or safety or the support of County Government and its existing public institutions.

INTRODUCED and read for the first time this 12th day of

January, 1970.

PASSED this 12th day of January, 1970.

KING-COUNTY COUNCIL
KING COUNTY, WASHINGTON

Bill Kanno
Chairman

ATTEST:

Ralph A. Stender
Clerk of the Council

APPROVED this 16th day of January, 1970.

ORDINANCE READINGS

1st. 1-12-70

2nd. 1-12-70

3rd. 1-12-70

Effective Date.....

John A. Pelman
King County Executive